

**INITIAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT - STRUCTURAL SAFETY (DSA-SS)**

**REGARDING ADOPTION OF THE 2006 UNIFORM PLUMBING CODE (UPC),  
FOR USE IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5**

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action.

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE FOR PROPOSED CHANGES**

DSA proposes to repeal the 2000 edition of the Uniform Plumbing Code (UPC), and to adopt the 2006 edition of the Uniform Plumbing Code (published by the International Association of Plumbing and Mechanical Officials) for codification and effectiveness as the 2007 California Plumbing Code. DSA proposes this action in order to comply with state law requiring state agencies to propose adoption of the latest edition model codes within one year of the publication date.

Building standards proposed by DSA-SS for adoption would be applicable to public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings.

**CHAPTER 1 - Administration**

Proposed action:

Repeal of DSAA-SS amendments in *Sections 101.1, 101.2, 101.4, 101.6, 101.7, 101.8, 101.9, 101.10, 101.11, 101.11.10.*

Adoption of *Sections 101.1, 101.2, 101.3, 101.3.1, 101.3.2, 101.4, 101.5, 101.6, 101.7, 101.8, 101.8.1, 101.9, 101.10, 101.11, 101.12, 101.13, 109.2.*

In a coordinated effort with other proposing state agencies, under the direction of the Building Standards Commission, the repealed amendments will be relocated as new amendments into the "California Chapter 1", which contains only state regulations. The unamended model code Chapter 1 is proposed to be relocated into Appendix Chapter 1, for use by local jurisdictions. This action is being proposed for Parts 2, 3, 4, and 5 of Title 24, each of which adopts a nationally-recognized model code by reference.

**CHAPTER 2**

Section 203.0 - DSA has determined that the amendment referencing the term "*enforcement agency*" is not necessary, and that DSA's code enforcement role is clearly defined by the model code definition of "authority having jurisdiction" and *Section 109 of State Chapter 1.*

Section 205.0 - DSA has determined that the amendment referring to the "most recent" edition California Building Code is not necessary. The currently effective edition California Building Code is the only applicable code for use in conjunction with any other Parts of Title 24, except where specifically noted otherwise.

Section 207.0 - See Section 203.0 above.

Section 216.0 - DSA has determined that this amendment, defining "*noncarriage toilet facility*," currently has no application to any occupancies or uses within DSA-SS jurisdiction, and is therefore proposed for repeal.

Section 218.0 - DSA has determined that this amendment, defining "*personal service room*," currently has no application to any occupancies or uses within DSA-SS jurisdiction, and is therefore proposed for repeal.

Section 221.0 - DSA has determined that this amendment, defining "*state building codes*", is duplicative with provisions contained in *California Chapter 1* which clarify the title of the state's building standards, and is therefore proposed for repeal.

Section 223.0 - DSA has determined that this amendment, which clarifies the term "UPC" is not necessary. This amendment is technically incorrect, as the currently adopted edition of the Uniform Plumbing Code is the only applicable edition UPC for application to DSA-SS regulated occupancies.

### **CHAPTER 3**

*Section 316.2.4* - DSA has determined that this amendment, which requires that dielectric unions be used at all points of connection where there is a dissimilarity of metals, is sufficiently addressed by model code provisions (Sec. 508). This is an issue best addressed by the model code development process, as there are numerous means to mitigate potential metal pipe corrosion when dissimilar metals are connected, while this amendment prescribes that only one method is permitted.

### **CHAPTER 4**

*Section 407.4.1* - DSA has determined that this amendment, which regulates the water stream height (2") of a drinking drinking fountain, should be repealed as it is duplicative and conflicting with the requirements of Section 1115B.2.1.5.3.5.4 (which requires a 4" stream of water).

Table 4-1 Footnote 19 - DSA, the other proposing state agencies (SFM, OSHPD, HCD), and the Building Standards Commission are proposing the adoption of Footnote 19, which clarifies the application of specific code provisions for alternate methods and materials to determine the minimum number of plumbing fixtures.

### **CHAPTER 6**

*Sections 604.1 exception #2, 604.11, 604.11.1, 604.11.2* - DSA is proposing to repeal current amendments, which indicate the non-adoption of PEX piping by DSA-SS. During this 2006 annual code adoption cycle, DSA understands that the state intends to complete the necessary tasks and documentation to legally adopt Section 604 of the 2006 edition Uniform Plumbing Code without amendment. If necessary during the course of this rulemaking process, DSA will propose modifications to this proposal, or may withdraw this proposal.

*Section 606.2.4* - DSA is proposing to repeal this amendment, as model plumbing code provisions and referenced standards adequately address PVC pipe joint construction.

*Section 606.2.4* - DSA is proposing to repeal this amendment, as the building code explicitly and adequately addresses seismic anchorage of plumbing systems and equipment.

### **CHAPTER 7**

*Section 701.1.2.1* - DSA is proposing to repeal this amendment, which restricts the use of ABS and PVC as drainage pipe. During this 2006 annual code adoption cycle, DSA understands that the state intends to complete the necessary tasks and documentation to legally adopt Section 701 of the 2006 edition Uniform Plumbing Code without amendment that would restrict the use of PVC and ABS. If necessary during the course of this rulemaking process, DSA will propose modifications to this proposal, or may withdraw this proposal.

*Section 705.1.1.1* - DSA is proposing repeal of this amendment, as the model plumbing code (Section 310) addresses workmanship of pipe joint preparation.

*Section 705.2.5* - DSA is proposing to repeal this amendment, as model plumbing code provisions and referenced standards adequately address PVC pipe joint construction.

### **CHAPTER 8**

*Section 811.2.1* - DSA is proposing repeal of this amendment, as Section 811 of the Uniform Plumbing Code (UPC) sufficiently prescribes requirements for pipe materials used for conveying acid waste. This DSA-SS amendment, which prescribes that ABS or PVC piping may be used for acid waste lines, implies that these materials may be used without qualification, which conflicts with Section 811.2 of the UPC. Section 811.2 of the UPC specifies requirements for chemical waste lines, and does not qualify ABS or PVC materials for this application.

## **CHAPTER 12**

*Section 1202.2.1* - Editorial change only; renumbered from 1202.2.1 to 1203.10 due to model code format change.

*Section 1211.21* - Editorial change only; renumbered from 1211.21 to 1211.18 due to model code format change.

## **APPENDIX D**

*Section D.1 (a.1)* - DSA is proposing repeal of this amendment, as the UPC adequately and sufficiently regulates materials used for roof drainage piping.

### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

None required for the proposed adoption of the 2006 edition UPC, as Section 18928 of the Health & Safety Code mandates this proposed action. Regarding the proposed repeal of amendments in Sections 604, 606, 701, and 705, DSA understands that the state intends to complete the necessary tasks and documentation to legally repeal these amendments. If necessary during the course of this rulemaking process, DSA will propose modifications to this proposal, or may withdraw this proposal.

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

The Division of the State Architect has not considered any reasonable alternatives to the proposed action, as this action is required by state law.

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impacts to small business are expected as a result of this proposed action.

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS.**

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

The regulations proposed for adoption do not duplicate or conflict with federal regulations.